IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

-

WRIT PETITION NO : 15380 of 1995

Between:

S. Ramachandra Rao S/o S. Kishan Rao
R/o Hanumakonda, Warangal Dist. **..... PETITIONER**

AND

1.The District Collector,
Nampally Road, Hyderabad
2.The Mandal Revenue Officer,
Golkonda (M), Vijayanagar Colony,

Hyderabad **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ Order or Direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in resorting to demolishing the structure and compound wall of the petitioner relating to Plot No.13-A/A2 of Sri Venkateswara Coop. House Building Society for A.P.Legislators Ltd., Hyderabad layout and consequently direct the respondents not to interfere with the possession and enjoyment of the petitioners of the above plot including demolition of the structure and the compound wall thereon.

Counsel for the Petitioner: MR.Polisetti Radha Krishna

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

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THE HON'BLE SRI JUSTICE BILAL NAZKI

WRIT PETITION NO.15380 OF 1995

ORDER:

The controversy between the parties in this writ petition is whether the petitioner is an encroacher upon the Government land or not. The petitioner contends that he had purchased the land from the original owner whereas in the counter-affidavit it is stated that he is encroacher over the Government land. It is a controversy, which cannot be decided in this writ petition. Parties may work out their remedies in the appropriate forum. However, it is directed that the respondents cannot evict the petitioner except through due process of law.

Writ Petition is accordingly disposed of. No costs.

(Bilal Nazki, J)

9th September, 2004

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Copy to:

1.The District Collector,
Nampally Road, Hyderabad
2.The Mandal Revenue Officer,
Golkonda (M), Vijayanagar Colony,

Hyderabad

3.Two CCs to the G.P. for Revenue,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T.)

4.Two CD copies.